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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,485	06/24/2003	Andrew R. Ferlitsch	SLA1290	1107

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/602,485	FERLITSCH, ANDREW R.
	Examiner	Art Unit	
	THIERRY L. PHAM	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>02 January 2008</u>.

2a) ☐ This action is FINAL.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-20 and 22-25</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-20, 22-25</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

● This action is responsive to the following communication: RCE filed on 1/2/08.

● Claims 1-20 & 22-25 are currently pending; claim 21 has been canceled.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR
1.17(e), was filed in this application after final rejection. Since this application is eligible for
continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been
timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR
1.114. Applicant's submission filed on 1/2/08 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness
rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 1-20, 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raney (US
20020063880), and in view of Luman (US 20020075508).

Regarding claim 1, Raney discloses Regarding claim 1, Raney discloses a method for
monitoring *(monitoring a print job, par. 25)* an imaging job in a computer system *(printing
system, fig. 1)*, the method comprising:

• sending *(sending via network 102, fig. 1)* an imaging job to an imaging device *(imaging
devices 110, fig. 1)*;

• creating a background process *(via using device monitoring software 216, fig. 2)* on a
computer system for monitoring the status *(monitoring print job status, figs. 4-5)* of the imaging
job, wherein the computer system includes a despooling subsystem *(despooling system 316, fig.
3)*, and wherein the background process is initiated by the despooling subsystem *(despooling*

subsystem includes a device monitoring system for monitoring print job status, fig. 1, par. 27-28);

• sending a status message *(sending print job status from printer to host device, par. 25)* to the computing device; and

• receiving *(receiving via network as shown in fig. 1)* the status message by the background process (figs. 4-5),

• wherein the status message is sent by the imaging device *(sending print job status from printer to host device, par. 25)* in response to successful completion *(job completion, par. 25)* of the imaging job or an error occurring.

Raney discloses an example of transmitting a status message from an image forming apparatus to the client computer, but does not explicitly teach and/or suggest how a network address of a computing device is obtained and to terminate the background process (print job status monitoring) when the imaging job is completed.

Luman, in the same field of endeavor for monitoring and notifying print job status, teaches a well-known example of how a network address of a computing device is obtained *(network address is embedded with the print request and transmit to the print device, wherein the print device then extracts such address from the print request, fig. 3 and fig. 6, par. 27 and par. 32)* and to terminate the background process *(terminate print job status monitoring when the print job completed, fig. 6, par. 33)* when the imaging job is completed.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify print job status monitoring process of Raney to include a method for embedding and extracting network address of computing device and to terminate the background process when the imaging job is completed as taught by Luman because of a following reason: (•) so status message regarding the print job can be sent to either to the computing device or wireless device so that users/operators can react to the print job status and/or error more timely and efficiently (par. 7); (•) monitoring the print job status only when requested (fig. 3 & 6, par. 27 & 32-33) and to terminate such monitoring when the print job is completed (par. 33) to reduce printer resources (e.g. RAM resource require to run such monitoring program).

Therefore, it would have been obvious to combine Raney with Luman to obtain the invention as specified in claim 1.

Regarding claim 2, Raney further discloses the method of claim 1, further comprising delaying return to a print spooler until after the imaging job is completed (par. 25).

Regarding claim 3, Raney further discloses the method of claim 1, further comprising taking control of descheduling and clearing of the imaging job from a print spooler by a print processor (printer server 108, fig. 1).

Regarding claim 4, Raney further discloses the method of claim 1, wherein the imaging device is selected from the group consisting of a printer, a scanner, a fax machine, a copier and a document server (fig. 1).

Regarding claim 5, Raney further discloses the method of claim 1, further comprising using a protocol (network protocol, fig. 1) for communications between the computing device and the imaging device

Regarding claim 6, Luman further teaches the method of claim 1, further comprising embedding the network address in the imaging job (fig. 6).

Regarding claim 7, Raney further discloses method of claim 1, further comprising extracting (par. 31) the network address from a connection.

Regarding claim 8, Raney further discloses the method of claim 1, further comprising sending the network address (network address of sender is included in order to transmit status, par. 31-32) from the computing device to the imaging device.

Regarding claim 9, Raney further discloses the method of claim 1, wherein the status message includes an identifier that enables the computing device to direct the status message to the processing listening for the message, and wherein the identifier is selected from the group

consisting of a port, a file, a directory, an FTP address, an SNMP trap and an email address (email, par. 31).

Regarding claim 10, Raney further the method of claim 2, further comprising notifying a print processor of the status message after (par. 32-33) the status message has been received by the background process.

Regarding claim 11, Luman further discloses the method of claim 10, further comprising terminating the background process (par. 33).

Regarding claim 12, Raney further discloses the method of claim 11, further comprising returning control back to the print spooler and indicating success/failure (par. 31-33) of the imaging job to the print spooler.

Regarding claim 13, Raney further discloses the method of claim 12, further comprising performing job recovery (par. 31-34) by the print spooler if the job recovery is necessary.

Regarding claim 14, Raney further discloses the method of claim 1, further comprising returning control back (fig. 4-5) to the print spooler.

Regarding claim 15, Raney further discloses the method of claim 1, further comprising descheduling and clearing (par. 23) of the imaging job by the background process.

Regarding claim 16, Raney further discloses the method of claim 1, wherein the background process runs asynchronously (fig.4-5). Also see figs. 5-7 of Tanaka for details.

Regarding claim 17, Raney disclose a set of executable instructions on a computer readable medium (memory 210 for storing device monitoring software 216, fig. 2), the instruction executable to:

• send (sending via network 102, fig. 1) an imaging job to an imaging device (imaging devices 110, fig. 1);

• create a background process (via using device monitoring software 216, fig. 2) for monitoring the status of the imaging job (monitoring print job status, figs. 4-5), wherein the background process is initiated by a despoiler system (despooling system 316, fig. 3);

• send a status message (sending print job status from printer to host device, par. 25) to the computing device using the network address; and

• receive the status message (receiving via network as shown in fig. 1) by the background process, wherein the status message is sent (sending print job status from printer to host device, par. 25) by the imaging device in response to successful completion of the imaging job or an error occurring (job completion, par. 25).

Raney discloses an example of transmitting a status message from an image forming apparatus to the client computer, but does not explicitly teach and/or suggest how a network address of a computing device is obtained and to terminate the background process (print job status monitoring) when the imaging job is completed.

Luman, in the same field of endeavor for monitoring and notifying print job status, teaches a well-known example of how a network address of a computing device is obtained *(network address is embedded with the print request and transmit to the print device, wherein the print device then extracts such address from the print request, fig. 3 and fig. 6, par. 27 and par. 32)* and to terminate the background process *(terminate print job status monitoring when the print job completed, fig. 6, par. 33)* when the imaging job is completed.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify print job status monitoring process of Raney to include a method for embedding and extracting network address of computing device and to terminate the background process when the imaging job is completed as taught by Luman because of a following reason: (•) so status message regarding the print job can be sent to either to the computing device or wireless device so that users/operators can react to the print job status and/or error more timely and efficiently (par. 7); (•) monitoring the print job status only when requested (fig. 3 & 6, par. 27 & 32-33) and to terminate such monitoring when the print job is completed (par. 33) to reduce printer resources (e.g. RAM resource require to run such monitoring program).

Therefore, it would have been obvious to combine Raney with Luman to obtain the invention as specified in claim 17.

Regarding claim 18, Raney further discloses the set of executable instructions of claim 17, wherein the instructions are further executable to delay returning to a print spooler until after the imaging job is completed (par. 25).

Regarding claim 19, Raney further discloses the set of executable instructions of claim 17, wherein the instructions are further executable to take control of descheduling and clearing of the imaging job from a print spooler by a print processor (printer server 108, fig. 1).

Regarding claim 20, Raney further discloses the set of executable instructions of claim 18, wherein the instructions are further executable to notify a print processor of the status message after the status message has been received by the background process (par. 32-33).

Regarding claim 22, Raney discloses a system (printing system, fig. 1) for monitoring an imaging job in a computer system, the system comprising:
• a computing device (ref. 104, fig. 1);
• an imaging device (ref. 110, fig. 1) in electronic communication with the computing device;
• executable instructions (software in memory 210, fig. 2) executable on the computing device (ref. 104, fig. 2), wherein the executable instructions are configured to implement a method comprising:
• sending (sending via network 102, fig. 1) an imaging job to an imaging device;
• creating a background process (via using device monitoring software 216, fig. 2) on a computer system for monitoring the status (monitoring print job status, figs. 4-5) of the imaging job, wherein the computer system includes a despooling subsystem (despooling system 316, fig. 3), and wherein the background process is initiated by the despooling subsystem (despooling

subsystem includes a device monitoring system for monitoring print job status, fig. 1, par. 27-28);

• sending a status message (sending print job status from printer to host device, par. 25) to the computing device using the network address; and

• receiving (receiving via network as shown in fig. 1) the status message by the background process,

• wherein the status message is sent by the imaging device (sending print job status from printer to host device, par. 25) in response to successful completion (job completion, par. 25) of the imaging job or an error occurring.

Raney discloses an example of transmitting a status message from an image forming apparatus to the client computer, but does not explicitly teach and/or suggest how a network address of a computing device is obtained and to terminate the background process (print job status monitoring) when the imaging job is completed.

Luman, in the same field of endeavor for monitoring and notifying print job status, teaches a well-known example of how a network address of a computing device is obtained *(network address is embedded with the print request and transmit to the print device, wherein the print device then extracts such address from the print request, fig. 3 and fig. 6, par. 27 and par. 32)* and to terminate the background process *(terminate print job status monitoring when the print job completed, fig. 6, par. 33)* when the imaging job is completed.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify print job status monitoring process of Raney to include a method for embedding and extracting network address of computing device and to terminate the background process when the imaging job is completed as taught by Luman because of a following reason: (•) so status message regarding the print job can be sent to either to the computing device or wireless device so that users/operators can react to the print job status and/or error more timely and efficiently (par. 7); (•) monitoring the print job status only when requested (fig. 3 & 6, par. 27 & 32-33) and to terminate such monitoring when the print job is completed (par. 33) to reduce printer resources (e.g. RAM resource require to run such monitoring program).

Therefore, it would have been obvious to combine Raney with Luman to obtain the invention as specified in claim 22.

Regarding claim 23, Raney further discloses the system of claim 22, further comprising delaying return to a print spooler until after the imaging job is completed (par. 25).

Regarding claim 24, Raney further discloses the system of claim 22, further comprising taking control of descheduling and clearing of the imaging job from a print spooler by a print processor (printer server 108, fig. 1).

Regarding claim 25, Raney further discloses the system of claim 22, further comprising notifying a print processor of the status message after (par. 32-33) the status message has been received by the background process.

Response to Arguments

Applicant's arguments with respect to claims 1, 17, and 22 have been considered but are moot in view of the new ground(s) of rejection via using newly found prior art reference to address the newly added features/limitations.

Applicant's arguments, see page 7, filed 1/2/08, with respect to specification have been fully considered and are persuasive. The objection of specification has been withdrawn.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THIERRY L. PHAM whose telephone number is (571)272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thierry L Pham/
Examiner, Art Unit 2625